

Alaska Public Library Law Regulations

ARTICLE 2. LIBRARY ASSISTANCE GRANTS

4 AAC 57.050. PURPOSE.

(a) Subject to the availability of appropriations from the legislature, the division shall award library assistance grants to eligible applicant libraries to assist in funding eligible library operations, interlibrary cooperation, and regional library services. For each grant the division shall specifically describe the library services purposes for which it may be expended.

(b) The division shall approve applications for library assistance grants in the following categories:

- (1) public library assistance grants, as authorized by AS 14.56.310(a)(1), to assist a municipal library or a public library nonprofit corporation with library operational costs;
- (2) interlibrary cooperation grants, as authorized by AS 14.56.310(a)(2), to assist libraries with the cost of sharing resources with other libraries of the state;
- (3) regional library services grants, as authorized by AS 14.46.310(a)(3), to assist libraries in providing regional library services to areas of the state in which there are no library facilities.

(c) Libraries receiving library assistance grants shall provide interlibrary loan services free of charge to other in-state libraries

4 AAC 57.063. PUBLIC LIBRARY ASSISTANCE GRANTS: REQUIRED LOCAL MATCH.

- a) A public library may apply for a public library assistance grant of no more than \$7,000 for each of its public library outlets. For money paid to a public library as a public library assistance grant, an equal matching amount of local resources must be provided, in the form of local money, volunteer labor, or a combination of the two.
- b) The director shall determine the value of the volunteer labor proposed as a local match, based upon the prevailing wage rates for comparable positions.
- c) If a portion of the proposed local match is identified as money expended for utility costs for a public library located in a shared or combined facility, the director shall determine the value of the match based upon the proportion of use of the facility by the public library.

4 AAC 57.064. PUBLIC LIBRARY ASSISTANCE GRANTS: ELIGIBILITY.

(a) To qualify for a public library assistance grant, a library must

(1) provide, at a minimum, the following services:

- (A) a circulating collection of library books and materials that the library purchases and maintains;

- (B) interlibrary loans;
- (C) reference services;
- (D) children's programs;

(2) keep each library facility for which a grant application is made open to provide free library services to all residents of that facility's legal service area on a regularly scheduled basis for at least 48 weeks per year and three days per week; additionally, the library must keep each library facility open for a minimum number of hours per week, as follows:

(A) for a separately administered library facility that is not a branch outlet as described in (B) of this paragraph, and that serves

- (i) under 750 individuals 10 hours per week;
- (ii) 750-1,500 individuals 15 hours per week;
- (iii) 1,500-3,000 individuals 25 hours per week;
- (iv) 3,000-10,000 individuals 40 hours per week;
- (v) over 10,000 individuals 50 hours per week;

(B) For a branch outlet of a public library system that the director determines to be easily accessible by road to the system's main library and that serves

- (i) under 1,000 individuals 15 hours per week;
- (ii) 1,000-4,999 individuals 20 hours per week;
- (iii) 5,000 or more individuals 25 hours per week

(C) five hours per week during evening and weekend hours; and

(D) for a combined public and school library, 10 hours per week outside regular school hours;

(3) adopt and maintain policies that include

(A) a statement of mission, goals, and objectives; and

(B) a written collection development policy, providing for the selection, evaluation, and weeding of materials and reconsideration of materials;

(4) provide trained paid or volunteer staff on duty at each facility during all hours of operation of the facility, including a designated library director who

(A) completes every two years at least one continuing education program approved by the state librarian;

(B) if the library is in a municipality with a population of 3,000 to 5,999, has a bachelor's degree and library management experience or training; and

(C) if the library is in a municipality with a population of 6,000 or greater, has a master's degree in library or information science;

(5) if administered by a nonprofit corporation, hold public meetings of the board of directors on at least a quarterly basis;

(6) provide matching funds as required under AS 14.56.330 and 4 AAC 57.063;

(7) maintain an accurate accounting of the library's budget and expenditure of money; and

(8) annually submit to the division, on or before September 1, a complete public library annual report and public library assistance grant report on forms provided by the state library.

(b) The director shall grant a waiver of application of one or more of the requirements of this section, as requested in writing by an applicant, if the director determines that

1. the applicant has shown good cause for the waiver; and
2. the waiver is consistent with the requirements of AS 14.56.300-14.56.340 and AS 29.35.125.

4 AAC 57.065. INTERLIBRARY COOPERATION GRANTS. The interlibrary cooperation grant program is competitive. The division shall make an interlibrary cooperation grant to a library to promote or support

(a) sharing of resources;

(b) cooperative services with another library;

(c) innovative programs for the delivery of library services; or

(d) training or other programs that strengthen library services.

4 AAC 57.067. PUBLIC LIBRARY ASSISTANCE GRANTS: COMBINED PUBLIC AND SCHOOL LIBRARY FACILITIES.

(a) If an applicant for a public library assistance grant is a combined public and school library, that library must, in addition to meeting the eligibility requirements of 4 AAC 57.064,

(1) execute and keep in force a binding legal agreement between the school district and the governing body of the public library, approved by the division, providing for allocation of

(A) financial responsibilities;

(B) the ownership, maintenance, care, and right of use of collections, equipment,

and physical facilities;

(C) staffing and personnel requirements; and

(D) hours of service;

(2) provide access to the general public other than students enrolled in the school and in compliance with the minimum hour requirements of 4 AAC 57.064 by

(A) placement of the library in a facility separate from the school facility;

(B) placement of the library in a school room that has a public entrance direct to the outside and is accessible by the library patrons; or

(C) provide space for the library in a school room that can be easily located and accessed from a school entrance that is identified and posted as the public library entrance; and

(3) provide space for library materials for patrons of all ages and allocate space and money for establishing a collection of library materials for children, young adults, and adults, in appropriate proportions.

(b) An application for a public library assistance grant from a combined public and school library applicant must include

1. a copy of the division-approved agreement between the school district and the governing body of the public library; and
2. other evidence that the division considers necessary to determine compliance with subsection (a) as requested by the division.

(c) For the purposes of this section, the governing body of the public library may be the municipal assembly, an advisory board appointed by the municipal assembly, or the board of directors of a nonprofit corporation which meets the eligibility requirements of AS 14.56.310(a).

(d) A combined public and school library may not purchase school or curriculum-related library materials with public library assistance grant money or the local matching money. The governing body of the library shall retain records and invoices for library materials purchased from public library assistance grant funds and local matching funds for a period of three years, and shall make them available for inspection by the division upon request.

4 AAC 57.069. REGIONAL LIBRARY SERVICES GRANTS. The division shall make a regional library services grant to a library that agrees with the state library to act on behalf of the state library to

(a) furnish library materials to areas of the state in which there is not sufficient population or local revenue to support operation of a public library facility; or

(b) provide services, training, or technical support to other libraries.

4 AAC 57.070. APPLICATION.

- (a) An application for a library assistance grant must be filed with the director. Application must be made on a form provided by the division.
- (b) An application for a fiscal year must be submitted by April 1 of the preceding fiscal year.
- (c) If appropriated money is available after a final decision is made on all applications filed during the application period set out in (b) of this section, the director may accept and consider additional applications for grants which were filed after the application period set in (b) of this section.

4 AAC 57.074. DECISION ON APPLICATION.

- a) By August 1 of each fiscal year, the director of the division shall make a decision on each completed grant application submitted by the application deadline set by 4 AAC 57.070(b).
- b) The director shall set aside 75 percent of the state general funds appropriated for library assistance grants to fund public library assistance grants. If the set-aside is not sufficient to fully fund the state match, the director shall reduce each grant proportionally.
- c) The director shall set aside the remaining 25 percent of the state general funds appropriated for library assistance grants to fund interlibrary cooperation grants and regional services grants.
- d) The decision of the director under (a) of this section must be in writing and, if an applicant receives a grant, must state the amount of the grant.
- e) The director shall deliver to an applicant whose grant application has been approved, a grant agreement restating the general requirements of the program under which the grant is approved. The director shall transmit payment of the grant to the applicant only after the grant agreement has been signed and returned to the division.

4 AAC 57.076. AMENDMENT OF APPLICATION. An application may be amended after a decision has been made under 4 AAC 57.074 if the director finds that the amendment is in the best interests of the state.

4 AAC 57.084. ADMINISTRATIVE REVIEW. An applicant who is dissatisfied with a decision by the director under 4 AAC 57.074 may obtain review of that decision in the manner made available to school districts under 4 AAC 40.010-4 AAC 40.050.

4 AAC 57.087. USE OF GRANT PROCEEDS.

- (a) A library assistance grant approved by the division must be used for the purposes set out in the application filed under 4 AAC 57.070 as approved by the director or, if amended, as amended under 4 AAC 57.076. The grant money must be spent in a manner consistent with the provisions of the grant agreement.
- (b) The proceeds of a library assistance grant

(1) must be accounted for separately from other money received by the library from government and private sources;

(2) must be spent or encumbered by the library by the end of the grant period.

(c) A public library receiving a public library assistance grant shall expend at least the following amounts from either grant or local matching money for library materials and on-line services for each of its public library outlets:

1) in fiscal year 2000, \$2,500;

2) in fiscal year 2001, \$3,000;

3) in fiscal year 2002, \$3,500.

(d) Except as provided under (e) of this section, a library that receives an interlibrary cooperation cooperative assistance grant under 4 AAC 57.065 or a regional library services grant under 4 AAC 57.069 may apply a portion of the grant to meet indirect or administrative costs of the operation of the library. The portion of the grant applied may not exceed the rate set for similar charges by the governing body of the library or eight percent of the grant, whichever is less.

(e) A library that receives a public library assistance grant or an interlibrary cooperation cooperative assistance grant that is of primary benefit to the library receiving the grant shall not use the proceeds of the grant to meet indirect or administrative costs of the operation of the library.

(f) A library may change a grant line item by up to 10 percent without prior approval of the division.

4 AAC 57.089. LOCAL MATCH. A public library that receives a public library assistance grant

a) shall spend or encumber the full amount of the locally-generated match money that it has committed to meet the local match support requirements of the grant by the end of the fiscal year for which the grant is made;

b) may not spend or encumber an amount that is less than the full amount of the locally-generated match money that it has committed to meet the local match support requirements of the grant even, if, under 4 AAC 57.074(c), the director prorates the amount provided as the state matching grant.

4 AAC 57.091. FINANCIAL REPORT FOR GRANT. A library that receives a library assistance grant shall file with the division a financial report for the use of the grant. The report must be made on a form provided by the division, and must be filed on or before September 1 following the close of the fiscal year for which the grant was received.

4 AAC 57.095. PROGRAM ADMINISTRATION.

(a) The director may require repayment from a library of

1. the portion of money paid as a grant that the library does not spend or encumber by the

end of the fiscal year for which the grant was received; and

2. the full amount of a grant

(A) if the proceeds of the grant have been used for purposes other than those allowed by the grant application and grant agreement; [OR]

(B) if the library fails to file the annual report of library operations required by 4 AAC 57.020 or the financial report for the grant required by 4 AAC 57.091; or

(C) if the library fails to spend the local matching money as required in AS 14.56.330.

(b) Subject to appropriation, the director shall deposit amounts recovered under (a) of this section into the library assistance grant account.

(c) To enforce repayment of an amount that the director determines is due from a library under (a) of this section, the director may withhold payment in the succeeding and subsequent fiscal years of all or any portion of a grant based on an approved application from the library.

(d) The director may not pay a grant to a library that has failed to file the annual report of library operations required by 4 AAC 57.020 or the financial report for a grant required by 4 AAC 57.091 until the report has been filed.

4 AAC 57.099. EXEMPTIONS. An individual who is the permanent director of a public library on April 2, 1999 is exempt from the educational requirements of 4 AAC 57.064(a)(4).

4 AAC 57.990. DEFINITIONS. As used in AS 14.56.300 -14.56.340 and in this chapter

- a) "director" means the director of the division of libraries, archives & museums in the Department of Education;
- b) "division" means the division of libraries, archives & museums in the Department of Education;
- c) "library" means an institution that acquires, organizes, maintains, and provides public access to library materials for reference, research, and circulation;
- d) "library materials" includes books, periodicals, newspapers, documents, pamphlets, photographs, microforms, maps, sound recordings, audio-visual materials, and other materials of a similar nature;
- e) "operations" means personal services, communications, library materials, supplies, equipment, and other services necessary to provide library services; "operations" does not include construction;
- f) "public library" means a library operated by a municipality under AS 29.35.125 or by a public library nonprofit corporation for the purpose of providing general library services to all residents in the library's legal service area free of charge and without discrimination;
- g) "public library nonprofit corporation" means an organization that

1. has filed articles of incorporation with the state under AS 10.20.005 - 10.20.452 for the purpose of establishing and operating a public library;
 2. has filed a current annual report with the state, established bylaws, and elected officers;
and
 3. holds meetings of its board of directors in public at least quarterly;
- h) "public library outlet" means the headquarters, branch, bookmobile, or other facility of a public library which provides library services to the general public.